

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Edward Greef, on February 10, 2015 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Edward Greef, Chair (R)
Rep. Steve Fitzpatrick, Vice Chair (R)
Rep. Kathy Swanson, Vice Chair (D)
Rep. Geraldine Custer (R)
Rep. Denise Hayman (D)
Rep. Kathy Kelker (D)
Rep. Debra Lamm (R)
Rep. Steve Lavin (R)
Rep. Forrest Mandeville (R)
Rep. Nate McConnell (D)
Rep. Christopher Pope (D)
Rep. Tom Richmond (R)
Rep. Nicholas Schwaderer (R)
Rep. Tom Steenberg (D)
Rep. Nancy Wilson (D)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Tom Berry (R)
Rep. Moffie Funk (D)
Rep. Frank Garner (R)
Rep. Vince Ricci (R)

Members Absent: None

Staff Present: Ginger Aldrich, Legislative Branch
Noah Horan, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 308, 2/10/2015; HB 357, 2/10/2015; HB 367, 2/10/2015; HB
380, 2/10/2015
Executive Action on: HB 289; HB 312; SB 28; SB 113

HEARING ON HB 380

Opening Statement by Sponsor:

00:02:07 Rep. Mike Miller (R), HD 80, opened the hearing on HB 380, Revise laws related to subdivisions and recreational camping vehicles.

Proponents' Testimony:

00:06:12 Myrna Crawford, Self

Opponents' Testimony:

00:10:23 Tara DePuy, Montana Association of Counties (MACo); Joint Powers Insurance Authority

EXHIBIT(lah30a01)

00:14:15 Shane Gorder, Richland County Commissioner
00:18:22 Loren Young, Richland County Commissioner
00:19:37 Hollie Lund, Montana Association of Planners (MAP)
00:20:49 Ann Hedges, Montana Environmental Information Center (MEIC)
00:21:54 Erin Farris-Olsen, Montana Smart Growth Coalition (MSGC)
00:22:25 Shelby DeMars, United Property Owners of Montana (UPOM)

Informational Testimony:

00:22:51 Barb Kingery, Montana Department of Environmental Quality

Questions from Committee Members and Responses:

00:23:22 Rep. Lamm
00:23:49 Rep. Miller
00:24:04 Rep. Hayman
00:25:02 Tara DePuy, MACo
00:27:03 Rep. Wilson
00:27:32 Ann Hedges, MEIC
00:28:44 Rep. Wilson
00:29:02 Tara DePuy, MACo
00:29:52 Rep. Kelker
00:32:00 Rep. Mandeville
00:32:27 Tara DePuy, MACo
00:33:56 Rep. Mandeville
00:34:19 Rep. Lamm
00:35:04 Myrna Crawford, Self

Closing by Sponsor:

00:35:57 Rep. Miller

EXHIBIT(lah30a02)

HEARING ON HB 308

Opening Statement by Sponsor:

00:37:23 Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 308, Revise coal board and impact grant laws.

EXHIBIT(lah30a03)

Proponents' Testimony:

00:49:34 John MacDonald, City of Missoula

Opponents' Testimony:

00:51:31 Jon Metropoulos, Montana Association of Oil, Gas, and Coal Counties

00:52:52 Kathie Bailey, Snowy Mountain Development Corporation

EXHIBIT(lah30a04)

00:55:39 Bill Kennedy, Self

00:56:36 Sidney Fitzpatrick, Big Horn County Commissioner

01:00:23 Adam Haight, Northern Plains Conservation Group

01:00:58 Robert Filipovich, Self

EXHIBIT(lah30a05)

01:03:21 Robert Lee, Rosebud County

01:03:53 Dyane Mitchell, Richland County

01:06:52 Nichole Borner, Musselshell County

01:07:09 Bob Gilbert, Rosebud County, Dawson County, Musselshell County, and Richland County

01:09:53 Sen. Sharon Stewart-Peregoy, SD 21

Informational Testimony: None

Questions from Committee Members and Responses:

01:14:50 Rep. Zolnikov

01:15:04 Jon Metropoulos, representing Montana Association of Oil, Gas, and Coal Counties

01:15:32 Rep. Mandeville

01:16:14 Bob Gilbert, representing Rosebud County, Dawson County, Musselshell County, and Richland County

01:17:10 Rep. Mandeville

01:17:34 Bob Gilbert, representing Rosebud County, Dawson County, Musselshell County, and Richland County

Closing by Sponsor:

01:18:11 Rep. Essmann

HEARING ON HB 357

Opening Statement by Sponsor:

01:20:11 Rep. Kerry White (R), HD 64, opened the hearing on HB 357, Require state agencies to coordinate with county local governments.

Proponents' Testimony:

01:24:16 Leonard Wortman, Jefferson County

1:26:09 Shelby DeMars, UPOM

01:27:13 Dan Happel, Self

01:28:42 Bob Faw, Sweetgrass County Commissioner, representing self and constituents

01:30:00 Jody Loomis, Self

01:30:40 Patrick, McCain, Self

01:31:33 Bob Gilbert, representing Phillips County Commissioners

Opponents' Testimony:

01:32:26 John Fitzpatrick, Northwestern Energy
01:37:36 Rachel Carroll Rivas, MHRN

Informational Testimony:

01:41:47 Shawn Thomas, DNRC

Questions from Committee Members and Responses:

01:42:18 Rep. Kelker
01:42:59 Rep. White
01:43:32 Rep. Kelker
01:44:11 Rep. White
01:45:13 Rep. Kelker
01:45:20 Rep. White
01:47:10 Rep. Pope
01:48:19 Rep. White
01:51:22 Rep. Pope
01:52:51 Rep. White

Closing by Sponsor:

01:53:32 Rep. White

HEARING ON HB 367

Opening Statement by Sponsor:

01:55:39 Rep. Geraldine Custer (R), HD 39, opened the hearing on HB 367, Generally revise local government fees.

Proponents' Testimony:

01:58:18 Rina Moore, Montana Clerk and Records Association (MACR), Cascade County
01:59:36 Sharla Mills, MACR, Gallatin County
02:01:20 Regina Plettenberg, MACR, Ravalli County

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:03:09 Rep. Zolnikov
02:03:53 Regina Plettenberg
02:04:46 Rep. Mandeville
02:05:01 Rep. Custer

Closing by Sponsor:

02:06:11 Rep. Custer

EXECUTIVE ACTION ON HB 289

02:19:11 **Motion:** Rep. Fitzpatrick moved that **HB 289 DO PASS.**

Discussion:

02:19:22 Ginger Aldrich, LSD

02:20:17 **Motion:** Rep. Fitzpatrick moved **AMENDMENT HB028901.ALK BE ADOPTED.**
EXHIBIT(loh30a06)

Discussion:

02:20:39 Rep. Mandeville

02:21:55 **Vote:** Motion carried 19-0 by voice vote.

02:22:30 **Motion/Vote:** Rep. Fitzpatrick moved that **HB 289 DO PASS AS AMENDED.**
Motion carried 19-0 by voice vote.

EXECUTIVE ACTION ON HB 312

02:22:37 **Motion:** Rep. Fitzpatrick moved that **HB 312 DO PASS.**

Discussion:

02:22:53 Ginger Aldrich, LSD

02:23:48 **Motion:** Rep. Wilson moved that amendment **HB031201.ALK BE ADOPTED.**
EXHIBIT(loh30a07)

Discussion:

02:25:57 Rep. McConnell

02:26:38 Rep. Wilson

02:26:58 Rep. Lavin

02:28:13 **Vote:** Motion carried 19-0 by voice vote.

02:28:43 **Motion:** Rep. Fitzpatrick moved that **HB 312 DO PASS AS AMENDED.**

Discussion:

02:29:13 Rep. Ricci

02:29:25 Rep. Garner

02:30:28 Rep. Wilson

02:33:09 Rep. Lamm

02:33:51 Rep. Hayman

02:36:02 Rep. Pope

02:37:49 Rep. Berry

02:39:06 Rep. Wilson

02:39:43 **Vote:** Motion failed 7-12 by roll call vote with Rep. Hayman, Rep. Kelker, Rep. McConnell, Rep. Pope, Rep. Steenberg, Rep. Swanson and Rep. Wilson voting aye.

02:41:35 **Substitute Motion/Vote:** Rep. Garner made a substitute motion that **HB 312 BE TABLED AND THE VOTE REVERSED**. Substitute motion passed 12-8 by roll call vote with Rep. Funk, Rep. Hayman, Rep. Kelker, Rep. McConnell, Rep. Pope, Rep. Steenberg, Rep. Swanson and Rep. Wilson voting no.

EXECUTIVE ACTION ON SB 28

02:41:59 **Motion:** Rep. Fitzpatrick moved that **SB 28 BE CONCURRED IN**.

Discussion:

02:43:10 Ginger Aldrich, LSD

02:43:38 **Vote:** Motion carried 16-3 by voice vote with Rep. Lamm, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. McConnell will carry SB 28.

EXECUTIVE ACTION ON SB 113

02:45:16 **Motion:** Rep. Fitzpatrick moved that **SB 113 BE CONCURRED IN**.

Discussion:

02:45:17 Ginger Aldrich, LSD

02:46:18 Rep. Zolnikov

02:47:19 Rep. Berry

02:47:39 Ginger Aldrich

02:47:50 Rep. Berry

02:48:06 Rep. Steenberg

02:48:38 Rep. Pope

02:49:01 Rep. Mandeville

02:49:14 Rep. Ricci

02:49:35 Rep. Schwaderer

02:50:26 Rep. Garner

02:51:18 **Vote:** Motion carried 16-3 by voice vote with Rep. Lamm, Rep. Schwaderer and Rep. Zolnikov voting no. Rep. Swanson will carry SB 113.

ADJOURNMENT

Adjournment: 02:53:50

Noah Horan, Secretary

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Additional Documents:

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EXHIBIT([loh30aad.pdf](#))